

REMARKS

I. THE STATUS OF THE CLAIMS

Claims 1-10 and 12-17 are pending in the application. Claims 10 and 12-17 stand rejected.

II. THE REJECTION UNDER 35 U.S.C. § 103

The final Office Action maintains the rejection of claims 10 and 12-17 under 35 U.S.C. § 103 as being obvious over U.S. Patent No. 6,027,747 ("the '747 patent") in view of WO0122938. Applicants respectfully traverse the rejection.

The cited references do not disclose or suggest the claimed invention. The claimed invention is a particle prepared by a process that comprises two steps. First, beads are coated. Then the resulting coated beads are grounded and in a second step, the grounded beads are coated once more. The resulting product yields increased bioavailability of the active ingredient.

The '747 patent, alone or combined with WO0122938, does not disclose or suggest the claimed invention. The '747 patent discloses products prepared by dissolving a therapeutic agent in a volatile organic solvent containing a hydrophilic polymer and evaporating the solvent to dryness to form a co-precipitate of therapeutic agent and hydrophilic polymer. See Abstract and column 2, lines 28-35. The '747 patent discloses that the organic solvent may also contain a surface-active agent (see column 2, lines 46-52); and that the product may be prepared by spraying the organic solution on a granule made of a carbohydrate and drying (see column 6, lines 31-46). The '747 patent does not teach or suggest a particle prepared by a two step process as claimed.

WO0122938, which discloses pharmaceutical compositions of antiviral compounds that comprise particles obtainable by melt-extruding, spray drying or solution evaporation, also does not disclose or suggest a particle prepared by a two step process as claimed.

Reconsideration and withdrawal of the rejection of claims 10-17 under 35 U.S.C. § 103 as being anticipated by or obvious over U.S. the '747 patent in view of WO0122938 are respectfully requested.

III. CONCLUSION

For the foregoing reasons, Applicants believe that the present application is now clearly in condition for allowance. Accordingly, favorable reconsideration of the amended claims in light of the above remarks and an early Notice of Allowance are courteously solicited. If the Examiner has any comments or suggestions that could place this application in even better

form, the Examiner is requested to telephone the undersigned Attorney at the below-listed number.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 10-0750/TIP0047USPCT/LAD.

Respectfully submitted,

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Dated: July 6, 2009